

Atty's Docket: 101195-18

CONDITIONAL PETITION FOR EXTENSION OF TIME

If any extension of time for this response is required, Applicants request that this be considered a petition therefore. Please charge the required fee to Deposit Account No. 14-1263.

ADDITIONAL FEES

Please charge any further insufficiency of fees, or credit any excess to Deposit Account No. 14-1263.

REMARKS

Claims 1-5, 7-11, 27-37, are pending in the application. Claim 1 has been cancelled and replaced by new claim 30. Claims 2-5, 7-10, and 27-37 have been amended to reflect proper dependency from claim 30. Claim 4 was amended to add two detergents, and to add the generic names of CTAB and SDS.

New claims 30-36 have been added.

It is believed that no amendments or new claims add new matter.

Declaration Under Rule 132

Applicants gratefully acknowledge the time and attention afforded by Examiner Chakrabarti and Supervisory Examiner Jones in conducting the interview of December 2, 2002.

At the interview it was requested that Applicants provide evidence that antichaotropic salts affirmatively promote the binding of DNA to a support, rather than the binding simply resulting from the absence of the chaotropic salt.

In response, the Applicants submit herewith a Declaration Under Rule 132.

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The following points are demonstrated in the declaration:

1. In the absence of any salt, no binding of genomic DNA to a filter spin column is observed.
2. Addition of antichaotropic salts above a certain concentration affirmatively promotes the binding of DNA to the support.
3. Direct comparison between 1M NH₄Cl and the lysis buffer disclosed in the Anderson reference, clearly indicates that no DNA binding was observed with Anderson's buffer.

In conclusion, Applicants have shown that antichaotropic salts promote binding of DNA to insoluble supports. There is no disclosure in the references that demonstrate DNA-support binding under even remotely similar conditions.

Accordingly, it is believed that all objections and rejections have been addressed and that the claims are in condition for allowance.

Allowance is respectfully solicited.

Respectfully Submitted,

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MARK UP OF AMENDED CLAIMS

2. (amended twice) The kit according to claim ~~1~~ 30, wherein the antichaotropic component is a salt chosen from the group consisting of ammonium, cesium, sodium and potassium.

3. (amended twice twice) The kit according to claim ~~1~~ 30, wherein the lysis/binding buffer system contains detergents and additives.

4. (amended twice twice) The kit according to claim 3, wherein the detergents and additives are chosen from the group consisting of tris-HCl, EDTA, polyvinyl pyrrolidone, CTAB (hexadecyltrimethylammonium bromide), Triton X-100, Nonidet-P40, n-lauryl sarcosine, sodium citrate, DTT, SDS (n-dodecylsulfate), Brij, and Tween.

5. (amended twice) The kit according to claim ~~1~~ 30, wherein the lysis/binding buffer system contains an alcohol for binding to the substrate ~~mean~~.

7. (amended twice) The kit according to claim ~~1~~ 30, wherein the lysis/binding buffer system is an aqueous solution.

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8. (amended twice) The kit according to claim \pm 30, wherein the lysis/binding buffer system is stable in storage in reaction vessels ~~ready to use~~.

9. (amended twice) The kit according to claim \pm 30, the substrate is chosen from the group consisting of chaotropic reagents, glass fiber mats, glass membranes, glasses, zeolites, ceramics, and silica carriers.

10. (amended twice) The kit according to claim \pm 30, wherein all carriers which have a negatively functionalised surface or functionalised surfaces which may be converted to a negative charge potential serve as the substrate means.

27. (amended twice) The kit according to claim \pm 30, wherein the lysis/binding buffer system contains at least one enzyme ~~degrading proteins~~.

28. (amended) The kit according to claim \pm 30, wherein the complex starting material is chosen from the group consisting of compact plant materials, whole blood, tissue, microbioptate, paraffinne-coated materials, ercp-samples, swabs, foodstuffs, hair roots, cigarette butts, and food stains.

29. (amended) The kit according to claim \pm 30, wherein the elution buffer comprises tris-HCl, TE, and water.